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January 21, 2010

**BY ECF AND FACSIMILE**

Honorable Michael A. Shipp, U.S.M.J.  
United States District Court  
Martin Luther King Jr. Federal Building  
and U.S. Courthouse  
50 Walnut Street  
Newark, New Jersey 07102

**Re: In re LG Front Load Washing Machine Class Action Litigation  
Case No. 08 CV 51 (FSH) (MAS)**

Dear Judge Shipp:

Please accept this letter as the joint case status update that Your Honor requested in anticipation of the January 29 teleconference.

The only issue requiring the Court's attention, other than the fully briefed dispute concerning retainer agreements, is the fact discovery deadline. At the December 15 status conference, Your Honor decided to extend the discovery deadline and to decide upon the length of the extension during the January 29 teleconference.

The parties jointly request that the Court extend the fact discovery deadline for 90 days after the teleconference. Due to the volume of discovery that remains, the parties submit that this extension is necessary and reasonable and would allow the parties to complete the remaining discovery in an orderly fashion. There are several components to the remaining discovery.

First, LG USA is inspecting each plaintiff's washing machine, and those washing machines are located in the plaintiffs' homes, across the country. Twelve inspections remain, and they are scheduled to last at least through the end of February. In the past, unforeseen scheduling conflicts and weather issues have forced inspections to be rescheduled, so the

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remaining inspections may very well take place in March or April. The inspections must be completed before LG USA's experts will be able to prepare their expert reports.

Second, LG USA provided the names of six Rule 30(b)(6) designees on January 15, 2010, with the caveat that additional designees may be disclosed. Plaintiffs may, depending on the scope of the testimony the designees give, request additional designees under Rule 30(b)(6) as well. The parties are continuing to discuss the need for a Rule 30(b)(6) deposition regarding LG USA's document retention and production. LG USA is gathering deposition dates for the first six designees to provide to Plaintiffs (which, when disclosed, may affect the 90-day requested extension). Plaintiffs also anticipate requesting the depositions of two to four additional LG USA employees.

Third, six depositions of plaintiffs remain to be scheduled and taken. Like the inspections, these depositions are located across the country.

Fourth, the schedule needs to accommodate depositions of third parties. The first third-party deposition is scheduled to take place next week. No others have been scheduled, but Plaintiffs anticipate possibly taking the deposition of an additional third-party witness.

Fifth, a new case nearly identical to this one was recently filed in Pennsylvania. LG USA removed it to federal court and moved to transfer it to this District. Counsel for the plaintiff has agreed to the transfer. The case will need to be transferred and consolidated with this case, and the plaintiff will need to respond to written discovery (document requests and interrogatories), sit for a deposition, and allow an inspection of his washing machine.

For these reasons, the parties respectfully urge the Court to set a discovery deadline for 90 days after the January 29 teleconference. The parties look forward to discussing this matter with Your Honor.

Respectfully submitted,

WINSTON & STRAWN LLP

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cc: All Counsel of Record (via e-mail)